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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 GLOBAL CURE MEDICINE LLC,

11 Plaintiff,

12 v.

13 ALFA PHARMA LLC, SULIMAN AL-
14 FAYOUMI

15 Defendants.

CASE NO. C19-588 MJP

ORDER TO SHOW CAUSE

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17 The Court issues this Order to Show Cause sua sponte as to why sanctions should not be
18 imposed on counsel for Defendants pursuant to Rule 11(b).

19 It has come to the Court's attention that counsel for Defendants served signed initial
20 disclosures to Plaintiff in this matter that contain false information. Specifically, Defendants
21 identified two persons as former employees of Defendant Alfa Pharma LLC, neither of which
22 exists. Defendants wrote:

23 Sam Akers and Michael Stone are former employees of AlfaPharma who engaged in
24 correspondence with Plaintiff's representatives during the events which gave rise to this
litigation. Their last known addresses are 123 S Main Street, Seattle, WA 98104 and 782

1 Tamarack Way, Vancouver, WA 98660, respectively. Defendant does not believe that
2 these individuals are privy to any essential information related to the key facts of the case
and are unlikely to know anything relevant or material.

3 (First Supplemental Initial Disclosures by Alfa Pharma at 3 (Dkt. No. 44-2 at 7).) Counsel Mark
4 P. Walters and Michael C. Whitticar signed the disclosures and dated them July 25, 2019.

5 Defendants then admitted to Plaintiff that these disclosures were not true. In response to
6 Plaintiff's interrogatories, Defendants stated:

7 It has come to light that Sam Akers and Michael Stone were pseudonyms or pen names
8 for Suliman Al-Fayoumi. Accordingly, their contact information and knowledge of facts
are the same as Mr. Al-Fayoumi's, as described in the initial disclosures.

9 (Responses and Objections to Plaintiff's First Set of Discovery Requests at 4 (Dkt. No. 41 at
10 96).) This response was served on August 7, 2019 and signed by the same counsel. Neither the
11 initial disclosures nor the responses to the discovery contain verifications from Defendants.

12 The Court hereby instructs Defendants' counsel, Mssrs. Walters and Whitticar, to prepare
13 a written response to this order by no later than October 20, 2020 at 5:00 PM to explain why
14 their conduct has not violated Rule 11(b), Washington State Rules of Professional Conduct 3.3,
15 3.4, and 4.1, and why this should not be reported to the Washington State Bar Association. The
16 written response shall not exceed 5 pages. The Court is aware that Mr. Whitticar has withdrawn
17 from this matter, but because he signed the initial disclosures, he must comply with this Court's
18 order.

19 The Court will hold a hearing on this matter set for October 21, 2020 at 10:30 AM. All
20 parties shall be present.

21 The clerk is ordered to provide copies of this order to all counsel, including Mr.
22 Whitticar.

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1 Dated October 14, 2020.

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3 Marsha J. Pechman
4 United States District Judge
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